

REMARKS

This response is provided in response to the Quayle action mailed March 7, 2011. The Quayle action was issued in response to the Decision on Appeal, mailed December 22, 2010.

Applicant conducted an Interview with Examiner James Kramer of Art Unit 3693 on July 7, 2011. In the Interview, Applicant agreed that independent claim 15 is in allowable condition, see also Decision on Appeal, page 2, line 4. Additionally, Applicant agreed to submit a response as follows:

1. Claims 12 – 14, 23, 29, 31, 32, and 34 – 40 would be canceled.
2. Independent claim 30 would be amended to remove the word “substantially.” Support for the amendment is found in Applicant’s specification at, for example, page 16, lines 4 – 5. It was agreed that removal of the word “substantially” would overcome the outstanding rejection under 35 U.S.C. 112. Additionally, with respect to claim 30, the Decision on Appeal mailed December 22, 2010 notes that “Claim 30 recites verifying that permanent account numbers have been activated. The Examiner makes no finding that the art describes this or that this would be predictable to one of ordinary skill. Thus, the Examiner failed to present a prima facie case.” (Page 8, lines 7 – 10) Accordingly, amended claim 30 should be in allowable condition.
3. New claims 41 – 46 would be added. New claims 41 – 46 have similar limitations to canceled claims 34 – 40 except that new claims 41 – 46 are directed to a system that includes a non-transitory computer readable medium with computer program logic recorded thereon instead of “means plus function” language. Additionally, independent claim 41 includes limitations similar to the combination of independent claim 34 and dependent claim 38. New independent claim 41 is commensurate with the scope of claim 30 in that

new independent claim 41 includes the limitation “verifying that permanent account numbers have been activated.” As indicated above, the Examiner failed to present a prima facie case with respect to this limitation. Therefore, Applicants assert that new claims 41 – 46 are in allowable condition.

Applicant respectfully requests reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

This response is accompanied by the appropriate fee to obtain a 1-month extension of the period for responding to the Quayle action, thereby moving the deadline for response from May 7, 2011 to June 7, 2011.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-3444** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-3444** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21

Respectfully submitted,

/mark a. wilson/

Date: June 7, 2011

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